

FILED
9/29/22 9:19 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
Emery B. Gurbal and) **Case No. 18-70827-JAD**
Brittany R. Gurbal,)
Debtors) **Chapter 13**
)
) **Doc. # 51**
)

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: _____
- ☐ a motion to lift stay
as to creditor _____
- ☒ Other: Plan payment delinquencies

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Chapter 13 Plan dated
- ☒ Amended Chapter 13 Plan dated August 28, 2020

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtors' Plan payments shall remain at \$ 1,217.00.00, effective November 2020; and/or the Plan term shall be changed from 48 months to 59 months.
The Husband-Debtor was off work for a period of time which caused them to fall behind in payments. The Husband-Debtor is back to work full time and regular payments will be made each month moving forward.

☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.

☐ Debtor(s) shall file and serve _____ on or before _____.

☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.

If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.

☐ Other:

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 29th day of September, 2022



jsf
Jeffery A. Deller
United States Bankruptcy Judge

Stipulated by:

/s/ Kenneth P. Seitz, Esquire
Counsel to Debtor

Stipulated by:

/s/ James C. Warmbrodt, Esquire
Counsel to Chapter 13 Trustee

Stipulated by:

Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

In re:
Emery B Gurbal
Brittany R Gurbal
Debtors

Case No. 18-70827-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: Sep 29, 2022

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 50

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 01, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Emery B Gurbal, Brittany R Gurbal, 163 Tulip Lane, West Decatur, PA 16878-9625
14956548	+ Bureau Of Account Mana, 3607 Rosemont Ave Ste 50, Camp Hill, PA 17011-6943
14956551	+ CBCS, P.O. Box 2724, Columbus, OH 43216-2724
14956552	+ Cbna, 1800 Tapo Canyon Road, Mail Stop #SV-103, Simi Valley, CA 93063-6712
14956558	+ Holiday Financial Serv, 1800 Daisy Street Ext St, Clearfield, PA 16830-3265
14956560	+ Joshua McNamara, Esquire, Hayt, Hayt & Landau, LLC, Two Industrial Way West, Eatontown, NJ 07724-2279
14982517	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
14956577	+ Wells Fargo Card Services, MAC N8235-040, 7000 Vista Drive, West Des Moines, IA 50266-9310

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14956546	+ Email/PDF: bncnotices@becket-lee.com	Sep 29 2022 23:46:13	American Express, P.O. Box 981537, El Paso, TX 79998-1537
14981842	Email/PDF: bncnotices@becket-lee.com	Sep 29 2022 23:46:24	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14956547	+ Email/Text: BarclaysBankDelaware@tsico.com	Sep 29 2022 23:34:00	Barclays Bank, P.O. Box 8803, Wilmington, DE 19899-8803
14972571	+ Email/PDF: rmscedi@recoverycorp.com	Sep 29 2022 23:46:20	Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
14956549	Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 29 2022 23:46:12	Capital One, 15000 Capital One Dr, Richmond, VA 23238
14971214	Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 29 2022 23:46:24	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14956550	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 29 2022 23:46:18	Capital One Bank, N.A., P.O. Box 71083, Charlotte, NC 28272-1083
14978281	Email/PDF: bncnotices@becket-lee.com	Sep 29 2022 23:46:21	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14988028	+ Email/Text: RASEBN@raslg.com	Sep 29 2022 23:34:00	Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
14956554	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 29 2022 23:46:27	Citi Cards, P.O. Box 6500, Sioux Falls, SD 57117-6500
14991016	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 29 2022 23:46:21	Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0432

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14956555	+ Email/Text: bdsupport@creditmanagementcompany.com	Sep 29 2022 23:35:00	Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
14956563	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 29 2022 23:46:21	Macy's Visa, P.O. Box 183083, Columbus, OH 43218
14991397	Email/Text: bnc-quantum@quantum3group.com	Sep 29 2022 23:35:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
14985134	Email/Text: G06041@att.com	Sep 29 2022 23:35:00	Directv, LLC, by American InfoSource as agent, PO Box 5008, Carol Stream, IL 60197-5008
14956556	+ Email/Text: mrdiscen@discover.com	Sep 29 2022 23:34:00	Discover, P.O. Box 71084, Charlotte, NC 28272-1084
14960869	Email/Text: mrdiscen@discover.com	Sep 29 2022 23:34:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15136143	Email/Text: ECMCBKNotices@ecmc.org	Sep 29 2022 23:34:00	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
14956557	+ Email/PDF: ais.fpc.ebn@aisinfo.com	Sep 29 2022 23:46:19	First Premier Bank, Credit Card Department, P.O. Box 5519, Sioux Falls, SD 57117-5519
14956559	Email/Text: Bankruptcy@ICSystem.com	Sep 29 2022 23:34:00	I C System, Po Box 64378, Saint Paul, MN 55164
14956553	Email/PDF: ais.chase.ebn@aisinfo.com	Sep 29 2022 23:46:24	Chase, Cardmember Service, P.O. Box 15123, Wilmington, DE 19886
14956561	+ Email/Text: PBNCNotifications@peritusservices.com	Sep 29 2022 23:34:00	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14988222	Email/PDF: resurgentbknofications@resurgent.com	Sep 29 2022 23:46:15	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14956562	+ Email/Text: bk@lendingclub.com	Sep 29 2022 23:35:00	Lending Club, 71 Stevenson, Suite 300, San Francisco, CA 94105-2985
14978316	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 29 2022 23:35:00	MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
14956564	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 29 2022 23:35:00	Midland Funding, 2365 Northside Dr Ste 30, San Diego, CA 92108-2710
14956565	+ Email/Text: Bankruptcies@nragroup.com	Sep 29 2022 23:35:00	National Recovery Agen, 2491 Paxton St, Harrisburg, PA 17111-1036
14983738	+ Email/Text: bncnotifications@pheaa.org	Sep 29 2022 23:34:00	PHEAA, PO BOX 8147, HARRISBURG PA 17105-8147
14986834	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Sep 29 2022 23:46:25	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14958784	+ Email/PDF: rmscedi@recoverycorp.com	Sep 29 2022 23:46:19	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14956569	+ Email/Text: bankruptcyntices@psecu.com	Sep 29 2022 23:35:00	PSECU, P.O. Box 67013, Harrisburg, PA 17106-7013
14956567	+ Email/Text: bncnotifications@pheaa.org	Sep 29 2022 23:34:00	Pheaa, Po Box 61047, Harrisburg, PA 17106-1047
14956568	+ Email/Text: steve@priorityfirstfcu.org	Sep 29 2022 23:34:00	Priority First Federal Credit Union, 364 Midway Drive, DuBois, PA 15801-3864
14968541	+ Email/Text: bankruptcyteam@quickenloans.com	Sep 29 2022 23:35:00	Quicken Loans Inc., 635 Woodard Avenue, Detroit, MI 48226-3408
14956570	+ Email/Text: bankruptcyteam@quickenloans.com	Sep 29 2022 23:35:00	Quicken Loans, Inc., 1050 Woodward Avenue, Detroit, MI 48226-3573
14956571	+ Email/PDF: gecsed@recoverycorp.com	Sep 29 2022 23:46:12	Synchrony Bank, P.O. Box 960061, Orlando, FL 32896-0061
14956572	+ Email/PDF: gecsed@recoverycorp.com		

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14956573	+ Email/PDF: gecsed@recoverycorp.com	Sep 29 2022 23:46:18	Synchrony Bank/Lowes, P.O. Box 530914, Atlanta, GA 30353-0914
14956574	+ Email/PDF: gecsed@recoverycorp.com	Sep 29 2022 23:46:24	Synchrony Bank/Sam's Club, P.O. Box 965005, Orlando, FL 32896-5005
14991086	+ Email/Text: bncmail@w-legal.com	Sep 29 2022 23:46:24	Synchrony Bank/Walmart, P.O. Box 960024, Orlando, FL 32896-0024
14956575	+ Email/Text: bncmail@w-legal.com	Sep 29 2022 23:35:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
14956576	+ Email/PDF: tbiedi@PRAGroup.com	Sep 29 2022 23:34:00	Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
14982517	Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Sep 29 2022 23:46:12	The Bureaus Inc, 1717 Central St, Evanston, IL 60201-1507
		Sep 29 2022 23:46:25	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 43

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Quicken Loans Inc.
cr		Quicken Loans, LLC
cr	*	ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14988420	*+	Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
14956566	##+	Penn Credit Corporatio, 916 S 14th St, Harrisburg, PA 17104-3425

TOTAL: 2 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 01, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 29, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Quicken Loans LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Quicken Loans Inc. bnicholas@kmlawgroup.com
Kenneth P. Seitz	on behalf of Joint Debtor Brittany R Gurbal thedebterasers@aol.com

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Kenneth P. Seitz

on behalf of Debtor Emery B Gurbal thedebterasers@aol.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 6